

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**Todd E Mummert**  
Debtor(s)

Bankruptcy Case No.: 17-70093-JAD  
Issued Per May 18, 2017 Proceeding  
Chapter: 13  
Docket No.: 47 - 9  
Concil. Conf.: September 28, 2017 at 02:30 PM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED  
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

**(1.) PLAN CONFIRMATION:**

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated February 23, 2017 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☒ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Sep. 28, 2017 at 02:30 PM, in 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to it's administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- ☐ H. Additional Terms:

**(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:**

**A. Objections to the Plan.** Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

**B. Applications to retain brokers, sales agents, or other professionals.** If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

**C. Review of Claims Docket and Objections to Claims.** Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

**D. Motions or Complaints Pursuant to §§506, 507 or 522.** All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

**E. Filing Amended Plans.** Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

**A.** After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

**B.** Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

**C.** Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

**D.** Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

**E.** The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

**F.** In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.

Dated: May 23, 2017

Jeffery A. Deller  
United States Bankruptcy Judge

cc: All Parties in Interest to be served by Clerk in seven (7) days

**Certificate of Notice Page 4 of 5**  
 United States Bankruptcy Court  
 Western District of Pennsylvania

In re:  
 Todd E Mummert  
 Debtor

Case No. 17-70093-JAD  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0315-7

User: jhel  
 Form ID: 149

Page 1 of 2  
 Total Noticed: 40

Date Rcvd: May 23, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 25, 2017.

db +Todd E Mummert, 5K Twin Rivers Road, East Windsor, NJ 08520-5230  
 cr +USSCO Federal Credit Union, McGrath McCall, P.C., Four Gateway Center, Suite 1040,  
 444 Liberty Avenue, Pittsburgh, PA 15222-1220  
 14362593 +BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238  
 (address filed with court: Bank of America, P.O. Box 15019, Wilmington, DE 19886)  
 14362594 +Bank of America, Attn: Bankruptcy Department, P.O. Box 31785, Tampa, FL 33631-3785  
 14362606 +CITIBANK, PO BOX 790034, ST LOUIS MO 63179-0034  
 (address filed with court: Home Depot Credit Services, P.O. Box 182676, Columbus, OH 43218)  
 14362599 +CapOne/Boscov's, P.O. Box 30253, Salt Lake City, UT 84130-0253  
 14362598 +Capital One Bank, N.A., P.O. Box 71083, Charlotte, NC 28272-1083  
 14362600 +Chase Home Mortgage, P.O. Box 78420, Phoenix, AZ 85062-8420  
 14362604 +Gleason, Barbin & Markovitz, LLP, Attn: William Gleason Barbin, Solicitor, 206 Main Street,  
 Johnstown, PA 15901-1509  
 14362608 +Johnstown Regional Sewage, 410 Main Street, P.O. Box 610, Johnstown, PA 15907-0610  
 14362611 #+PA Collection Service, P.O. Box 893, Washington, PA 15301-0893  
 14375903 +PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021  
 14382272 +Penelec, c/o FirstEnergy, 331 Newman Springs Road, Bldg. 3, Red Bank, NJ 07701-5688  
 14362612 +Penn Credit, 916 S. 14th Street, P.O. Box 988, Harrisburg, PA 17108-0988  
 14362614 +Phelan, Hallinan, LLP, c/o Matthew Brushwood, Esquire, 1617 JFK Boulevard, Suite 1400,  
 One Penn Center Plaza, Philadelphia, PA 19103-1823  
 14362616 +Sears Credit Cards, P.O. Box 183082, Columbus, OH 43218-3082  
 14381581 +USSCO Johnstown Federal Credit Union, c/o McGrath McCall, P.C.,  
 Four Gateway Center, Suite 1040, 444 Liberty Avenue, Pittsburgh, PA 15222-1225  
 14362620 +Verizon Wireless, P.O. Box 25505, Lehigh Valley, PA 18002-5505  
 14362621 +Wells Fargo Bank NA, 3476 Stateview Blvd., Fort Mill, SC 29715-7200  
 14398386 Wells Fargo Bank, N.A., 1 Home Campus X2303-01A, Des Moines, IA 50328-0001  
 14362623 +Windber Medical Center, ATTN: Cashier, 600 Somerset Avenue, Windber, PA 15963-1397

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

14362592 +E-mail/Text: g20956@att.com May 24 2017 01:29:45 AT&T Mobility, P.O. Box 6416,  
 Carol Stream, IL 60197-6416  
 14362595 +E-mail/Text: bkmailbayview@bayviewloanservicing.com May 24 2017 01:29:42  
 Bayview Loan Servicing, 4425 Ponce del Leon Boulevard, 5th Floor, Miami, FL 33146-1837  
 14362596 +E-mail/Text: notices@burt-law.com May 24 2017 01:29:54 Burton Neil & Associates, P.C.,  
 1060 Andrew Drive, Suite 170, West Chester, PA 19380-5600  
 14362597 +E-mail/Text: ebn@squaretwofinancial.com May 24 2017 01:29:39 CACH, LLC,  
 4340 South Monaco Street, Unit 2, Denver, CO 80237-3485  
 14362601 +E-mail/Text: mrdiscen@discover.com May 24 2017 01:28:50 Discover, P.O. Box 71084,  
 Charlotte, NC 28272-1084  
 14372947 E-mail/Text: mrdiscen@discover.com May 24 2017 01:28:50 Discover Bank,  
 Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025  
 14362602 +E-mail/Text: bknotice@erccollections.com May 24 2017 01:29:24 Enhanced Recovery Co., LLC,  
 8014 Bayberry Road, Jacksonville, FL 32256-7412  
 14362603 E-mail/Text: bankruptcy@firstenergycorp.com May 24 2017 01:29:24 FirstEnergy Corporation,  
 76 S. Main Street, Akron, OH 44308  
 14362605 +E-mail/Text: ally@ebn.phinsolutions.com May 24 2017 01:28:48 GMAC Mortgage,  
 P.O. Box 9001719, Louisville, KY 40290-1719  
 14362607 E-mail/Text: cio.bncmail@irs.gov May 24 2017 01:28:56 Internal Revenue Service,  
 Centralized Insolvency Operation, P.O. Box 7346, Philadelphia, PA 19101-7346  
 14362609 E-mail/Text: bknotices@mbandw.com May 24 2017 01:29:38 McCarthy, Burgess, & Wolff,  
 The MB&W Building, 2600 Cannon Road, Cleveland, OH 44146  
 14362610 +Fax: 407-737-5634 May 24 2017 03:20:21 Ocwen Loan Servicing, LLC,  
 1661 Worthington Road, Suite 100, West Palm Beach, FL 33409-6493  
 14362613 +E-mail/Text: RVSVCBICNOTICE@state.pa.us May 24 2017 01:29:13  
 Pennsylvania Department of Revenue, Bankruptcy Division, P.O. Box 280946,  
 Harrisburg, PA 17128-0946  
 14522982 E-mail/Text: bkdepartment@rtresolutions.com May 24 2017 01:29:30  
 Real Time Resolutions, Inc., 1349 Empire Central Drive, Suite #150,  
 Dallas, Texas 75247-4029  
 14362615 +E-mail/Text: bkdepartment@rtresolutions.com May 24 2017 01:29:30  
 Real Time Resolutions, Inc., 1349 Empire Central Drive, Suite 150, Dallas, TX 75247-4029  
 14362617 +E-mail/Text: bankruptcy.notices@selenefinance.com May 24 2017 01:28:54 Selene Finance,  
 9990 Richmond, Suite 400 South, Houston, TX 77042-4546  
 14362618 +E-mail/Text: bknotices@totalcardinc.com May 24 2017 01:29:18 Total Card,  
 5109 S. Broadband Lane, Sioux Falls, SD 57108-2208  
 14362619 +E-mail/Text: JBRLANSKY@USSCOFCU.NET May 24 2017 01:29:58 USSCO FCU, 532 Oakridge Drive,  
 Johnstown, PA 15904-6915  
 14362622 +E-mail/Text: BKMailOps@weltman.com May 24 2017 01:29:26 Weltman, Weinberg & Reis, Co.,  
 c/o William T. Molczan, Esquire, 436 Seventh Avenue, Suite 1400, Pittsburgh, PA 15219-1827  
 TOTAL: 19

District/off: 0315-7

User: jhel  
Form ID: 149

Page 2 of 2  
Total Noticed: 40

Date Rcvd: May 23, 2017

\*\*\*\*\* BYPASSED RECIPIENTS (continued) \*\*\*\*\*

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

cr DEUTSCHE BANK TRUST COMPANY AMERICAS AS TRUSTEE FO  
cr Deutsche Bank Trust Company Americas As Trustee et  
cr JPMorgan Chase Bank, N.A.  
cr The Bank Of New York Mellon, etal  
cr WELLS FARGO BANK, N.A.  
cr Wilmington Savings Fund Society, FSB, d/b/a Christ  
cr\* +PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021  
14631400\* Real Time Resolutions, Inc., 1349 Empire Central Drive, Suite #150,  
Dallas, Texas 75247-4029

TOTALS: 6, \* 2, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address  
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update.  
While the notice was still deliverable, the notice recipient was advised to update its address with the court  
immediately.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: May 25, 2017

Signature: /s/Joseph Speetjens

---

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 23, 2017 at the address(es) listed below:

James Warmbrodt on behalf of Creditor Wilmington Savings Fund Society, FSB, d/b/a Christiana Trust, not individually but as Trustee for Pretium Mortgage Acquisition Trust  
bkggroup@kmlawgroup.com  
James A. Prostko on behalf of Creditor JPMorgan Chase Bank, N.A. pawb@fedphe.com,  
james.prostko@phelanhallinan.com  
James A. Prostko on behalf of Creditor Deutsche Bank Trust Company Americas As Trustee et al.  
pawb@fedphe.com, james.prostko@phelanhallinan.com  
Jill Manuel-Coughlin on behalf of Creditor The Bank Of New York Mellon, etal jill@pkallc.com,  
chris.amann@pkallc.com;nick.bracey@pkallc.com;samantha.gonzalez@pkallc.com;harry.reese@pkallc.com  
Karina Velter on behalf of Creditor WELLS FARGO BANK, N.A. amps@manleydeas.com  
Kenneth P. Seitz on behalf of Debtor Todd E Mummert thedebterasers@aol.com  
Kirsten S. Penn on behalf of Creditor USSCO Federal Credit Union kpenn@lenderlaw.com  
Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov  
Ronda J. Winnecour cmecf@chapter13trusteedpa.com  
Thomas Song on behalf of Creditor DEUTSCHE BANK TRUST COMPANY AMERICAS AS TRUSTEE FOR RALI  
2007-QS6 thomas.song@phelanhallinan.com  
Thomas Song on behalf of Creditor JPMorgan Chase Bank, N.A. thomas.song@phelanhallinan.com  
TOTAL: 11